

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 1-40 have been canceled. Claims 41-64 have been added. Thus, Claims 41-64 are pending in the present application.

I. Objection to the Specification

In section 4 of the Office Action, the Examiner objected to the specification because on page 1, lines 4 and 6 the specification was written in a foreign language. In response to this objection, Applicants have amended the specification to delete page 1, lines 4 and 6.” Accordingly, Applicants respectfully request withdrawal of the objection to the specification.

II. Rejection of Claims 20-26, 29, 31-36, and 39 under 35 U.S.C. § 102(e)

In section 5 of the Final Office Action, Claims 20-26, 29, 31-36, and 39 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,708,656 to Noneman *et al.* (Noneman). Though Applicants do not necessarily agree with the rejections, Claims 20-26, 29, 31-36, and 39 have been canceled rendering the rejections moot.

III. Rejection of Claims 27, 28, 37, and 38 under 35 U.S.C. § 103(a)

In section 6 of the Final Office Action, Claims 27, 28, 37, and 38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Noneman in view of U.S. Patent Publication No. 2007/0001007 to Koenck *et al.* (Koenck). Though Applicants do not necessarily agree with the rejections, Claims 27, 28, 37, and 38 have been canceled rendering the rejections moot.

IV. Rejection of Claims 30 and 40 under 35 U.S.C. § 103(a)

In section 7 of the Final Office Action, Claims 30 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Noneman in view of U.S. Patent No. 4,251,865 to Moore *et al.* (Moore). Though Applicants do not necessarily agree with the rejections, Claims 30 and 40 have been canceled rendering the rejections moot.

V. Allowability of New Claims 41-54

Applicants respectfully submit that new Claims 41-54 are allowable over the art cited by the Examiner. Noneman, Koenck, and Moore, alone and in combination, fail to teach, suggest, or describe the elements of at least independent Claims 41, 47, 53, and 54.

Independent Claim 41 recites in part:

maintaining the uplink TBF connection during a passive period that follows the first active data transfer period, wherein during the passive period the mobile station does not send RLC data blocks to the radio resource entity

Independent Claims 47, 53, and 54 recite a similar feature. Applicants respectfully submit that Noneman, Koenck, and Moore, alone and in combination, fail to teach, suggest, or describe at least this feature of independent Claims 41, 47, 53, and 54.

Noneman states:

In a packet data transmission and reception system two inactivity time intervals are used along with a variable data rate including an idle rate, a default or intermediate rate, and a peak rate. When no packet data is available the data rate is reduced to an idle rate to free most of the system capacity used for communicating the packet transmissions. The packet data service connection is thus maintained and the idle rate transmission of idle packets allows the receiving end of the channel to stay synchronized with the transmitter. If the packet data transmission resumes before the first inactivity timer expires the transmission rate returns immediately to the peak rate. However, if the inactivity continues until the first inactivity timer expires, the data rate is preferably not immediately returned to the peak rate. The packet data service connection is instead maintained at the idle rate after the first inactivity timer expires. When the second inactivity timer expires the packet data service is released. If packet data becomes available for transmission between the time the first inactivity timer expires and the second inactivity timer expires, the data packets are transmitted at the intermediate rate, which is generally lower than the peak rate. After the transmitting source receives an acknowledgment from the receiving end of the channel, the data rate switches back to the peak rate.

(Col. 7, lines 31-41, with emphasis added through underlining). Thus, Noneman describes inactivity time intervals that are controlled based on timers and a continued transmission of idle packets to maintain synchronization when no packet data is available. However, Noneman fails to teach, suggest, or describe at least “maintaining the uplink TBF connection during a passive period that follows the first active data transfer period, wherein during the passive period the mobile station does not send RLC data blocks to the radio resource entity,” as recited in Claims 41, 47, 53, and 54.

Koenck describes:

[C]ontrol circuitry, including associated microprocessors devices, interact to selectively activate communication circuits to perform necessary communication or data processing functions and enter and remain in a power-saving dormant state during other times. To support such dormant or "sleeping" states, a series of communication protocols provide for channel access to the communication network.

(Abstract). Koenck states that “MCD 518 may enter a sleep mode where the radio transceiver is powered down. The sleep mode provides for power savings and is a desirable mode of operation.” (Para. [0165]). However, Koenck also fails to teach, suggest, or describe at least “maintaining the uplink TBF connection during a passive period that follows the first active data transfer period, wherein during the passive period the mobile station does not send RLC data blocks to the radio resource entity,” as recited in Claims 41, 47, 53, and 54.

Moore states that “[c]hannel efficiency in a communications link between a controller and multiple portable units is increased by polling the active units and a set number of inactive units.” (Abstract.) Moore further states:

Polling is an invitation from the control unit to the portable unit to send data to the control unit, usually to be sent to the host computer. The first block "poll for data" indicates that the control unit is polling all portable data terminals in the sequence as described above. If no response is received to a particular address code, that code will be included in the next polling sequence unless, as described above, it is tagged "inactive" before the beginning of that sequence. If not, the message is deleted from memory and the particular portable

unit is tagged "inactive" and polled for data in the "inactive" polling sequence. If the message number and block check number are satisfactory the portable unit is so notified (ACK) on the next polling sequence. If the signal indicating that more data is waiting was detected, the message block is stored and labelled and the unit is polled for data on the next polling sequence. If a signal had been received indicating that the message was complete, the control unit would transmit the data to the host computer and while waiting for reply would not again poll that particular portable unit. However, if four blocks have been received without the signal indicating that the complete signal has now been transmitted, the message is assumed to be in error and it is deleted from the control unit memory and that portable unit is polled for data on the next "inactive" polling sequence.

(Col. 5, line 28-col. 6, line 5). Thus, Moore describes polling of portable units to determine a status. However, Moore also fails to teach, suggest, or describe at least "maintaining the uplink TBF connection during a passive period that follows the first active data transfer period, wherein during the passive period the mobile station does not send RLC data blocks to the radio resource entity," as recited in Claims 41, 47, 53, and 54.

As discussed above, Noneman, Koenck, and Moore fail to teach, suggest, or disclose all of the elements of at least Claims 41, 47, 53, and 54. Neither an anticipation rejection nor an obviousness rejection can be properly maintained where the references do not disclose all of the recited claim elements. The remaining claims depend from one of Claims 41, 47, 53, and 54. Therefore, Applicants respectfully request allowance of claims 41-64.

Applicants believe that the present application is in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

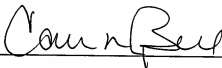
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated,

otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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